

and recommended disposition. The Board shall take final action, as appropriate.

(2) If no request for reconsideration of a written report containing a finding of no probable cause is filed, or, in the case of a written report finding probable cause, the written report shall be transmitted to the Board for final or further action, respectively, on the recommendations made in the report.

[E.] I. (text unchanged)

[F.] J. [The] In hearing held to resolve the issues raised by the petition, the party filing the petition shall have the burden of proof by the preponderance of the evidence.

[G.] K. — [H.] L. (text unchanged)

JAMIN RASKIN
Chairman

Title 17 DEPARTMENT OF BUDGET AND MANAGEMENT

Subtitle 04 PERSONNEL SERVICES AND BENEFITS

17.04.03 Recruitment, Examinations, Selections, and Employment

Authority: State Personnel and Pensions Article,
§4-106 and Titles 4, 6, 7, 11, and 13,
Annotated Code of Maryland

Notice of Proposed Action [03-128-P]

The Secretary of Budget and Management proposes to amend Regulation .17 under COMAR 17.04.03 Recruitment, Examinations, Selections, and Employment.

Statement of Purpose

The purpose of this action is to adopt regulations to modify the existing Discipline of Probationary Employees in accordance with the modifications made to State Personnel and Pensions Article, §7-401, Annotated Code of Maryland.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Opportunity for Public Comment

Comments may be sent to Leslie Buchman, Regulations Coordinator, Office of Personnel Services and Benefits, Department of Budget and Management, 301 West Preston Street, Room 609, Baltimore, Maryland 21201, or call (410) 767-4718, or email to lbuchman@dbm.state.md.us, or fax to (410) 333-5262. Comments will be accepted through July 14, 2003.

.17 Probation.

A. — E. (text unchanged)

F. Discipline of Probationary Employees.

(1) Initial appointment.

(a) (text unchanged)

(b) The provisions of this regulation apply to probationary employees in the skilled[,] and professional[, and management] services pursuant to State Personnel and Pensions Article, §§7-401 and 7-402, Annotated Code of Maryland.

(c) — (e) (text unchanged)

(f) The disciplinary appeal procedures for an employee on probation in the skilled and professional services under this subsection are provided in State Personnel and Pensions Article, §11-109(b), Annotated Code of Maryland. [The disciplinary appeal procedures for employees on probation in the management service or employees who are under special appointment are provided in State Personnel and Pensions Article, §§11-113 and 11-305(c), Annotated Code of Maryland.]

(2) (text unchanged)

JAMES C. DIPOLA
Secretary of Budget and Management

Subtitle 04 PERSONNEL SERVICES AND BENEFITS

17.04.11 Leave

Authority: State Personnel and Pensions Article,
§§4-106(a) and 8-303(b), Title 9, and §11-111,
Annotated Code of Maryland

Notice of Proposed Action [03-129-P]

The Secretary of Budget and Management proposes to amend Regulation .22 under COMAR 17.04.11 Leave.

Statement of Purpose

The purpose of this action is to include corrective language for a provision of the existing State Employees' Leave Donation Program in accordance with State Personnel and Pensions Article, §9-602, Annotated Code of Maryland.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Opportunity for Public Comment

Comments may be sent to Leslie Buchman, Regulations Coordinator, Office of Personnel Services, Department of Budget and Management, 301 West Preston Street, Room 609, Baltimore, MD 21201, or call (410) 767-4718, or fax to (410) 333-5262, or email to lbuchman@dbm.state.md.us. Comments will be accepted through July 14, 2003.

.22 State Employees' Leave Donation Program.

A. — I. (text unchanged)

J. Miscellaneous.

(1) An employee who has applied for disability retirement may use donated leave if the employee:

(a) — (b) (text unchanged)

(c) Is not disqualified by any of the factors set forth in §E(1)(a) — (c) or (e) of this regulation;

(d) — (e) (text unchanged)

(2) (text unchanged)

JAMES C. DIPAUULA

Secretary of Budget and Management

Title 26 DEPARTMENT OF THE ENVIRONMENT

Subtitle 12 RADIATION MANAGEMENT

26.12.01 Radiation Protection

Authority: Environment Article, §§8-106 and 8-301,
Annotated Code of Maryland

Notice of Proposed Action

[03-139-P-I]

The Secretary of the Environment proposes to amend Regulation .01 under **COMAR 26.12.01 Radiation Protection**.

Statement of Purpose

The purpose of this action is to amend certain provisions within the referenced document "Regulations for the Control of Ionizing Radiation (1994)". Amendments to the referenced document are necessary to enable State regulations to become compatible with federal regulations and therefore to preserve the agreement between the federal and State governments to regulate and enforce certain provisions of the U.S. Atomic Energy Act which are directed to the control of radioactive materials outside of the nuclear fuel cycle.

Comparison to Federal Standards

There is a corresponding federal standard to this proposed action, but the proposed action is not more restrictive or stringent.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Opportunity for Public Comment

Comments may be sent to Deanna Miles-Brown, Regulations Coordinator, Maryland Department of the Environment, 1800 Washington Boulevard, Baltimore, Maryland 21230, or call (410) 537-3173 or fax to (410) 537-3873, or email to dmilesbrown@mde.state.md.us. Comments will be accepted until the close of business on July 14, 2003. No public hearing has been scheduled.

Editor's Note on Incorporation by Reference

Pursuant to State Government Article, §7-207, Annotated Code of Maryland, the Regulations for the Control of Ionizing Radiation (1994) Supplement 8 has been declared a document generally available to the public and appropriate for incorporation by reference. For this reason, it will not be printed in the Maryland Register or the Code of Maryland Regulations (COMAR). Copies of this document are filed in special public depositories located throughout the State. A list of these depositories was published in 30:2 Md. R. 68 (January 24, 2003). The document may also be inspected at the office of the Division of State Documents, 1700 Margaret Avenue, Annapolis, Maryland.

.01 Incorporation by Reference.

All provisions of the "Regulations for the Control of Ionizing Radiation (1994)" as amended by Supplement 1 through Supplement [7] 8 are incorporated by reference.

LYNN Y. BUHL

Acting Secretary of the Environment

Subtitle 16 LEAD

26.16.02 Reduction of Lead Risk in Housing

Authority: Environment Article, 6-801(l) and 6-804,
Annotated Code of Maryland

Notice of Proposed Action

[03-133-P]

The Acting Secretary of the Environment proposes to amend Regulations .02 and .05 under **COMAR 26.16.02 Reduction of Lead Risk in Housing**.

Statement of Purpose

The purpose of this action is to bring the method for determining lead-free status for multiunit residential rental complexes into conformance with federal HUD guidelines.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed action may require additional lead hazard reduction work to be performed.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:	(-)	Undeterminable
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	(-)	Undeterminable

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

A. The Lead Poisoning Prevention Program will oversee the proposed regulations using existing resources.

Final Action On Regulations

Symbol Key

- Roman type indicates text already existing at the time of the proposed action.
- *Italic type* indicates new text added at the time of proposed action.
- Single underline, italic indicates new text added at the time of final action.
- Single underline, roman indicates existing text added at the time of final action.
- ~~[[Double brackets]]~~ indicate text deleted at the time of final action.

Title 17 DEPARTMENT OF BUDGET AND MANAGEMENT

Subtitle 04 PERSONNEL SERVICES AND BENEFITS

17.04.03 Recruitment, Examinations, Selections, and Employment

Authority: State Personnel and Pensions Article, §4-106 [[and
Titles 4, 6, 7, 11, and 13]],
Annotated Code of Maryland

Notice of Final Action

[03-128-F]

On August 20, 2003, the Secretary of Budget and Management adopted amendments to Regulation .17 under COMAR 17.04.03 Recruitment, Examinations, Selections, and Employment. This action, which was proposed for adoption in 30:12 Md. R. 822 (June 13, 2003), has been adopted as proposed.

Effective Date: September 15, 2003.

JAMES C. DIPAULA
Secretary of Budget and Management

Subtitle 04 PERSONNEL SERVICES AND BENEFITS

17.04.11 Leave

Authority: State Personnel and Pensions Article, §§[[4-106(a), and 8-303(b),
Title 9 and §11-111,]] 4-106 and 9-101,
Annotated Code of Maryland

Notice of Final Action

[03-129-F]

On August 20, 2003, the Secretary of Budget and Management adopted amendments to Regulation .22 under COMAR 17.04.11 Leave. This action, which was proposed for adoption in 30:12 Md. R. 822 — 823 (June 13, 2003), has been adopted as proposed.

Effective Date: September 15, 2003.

JAMES C. DIPAULA
Secretary of Budget and Management

Title 31 MARYLAND INSURANCE ADMINISTRATION

Subtitle 05 ASSETS, LIABILITIES, RESERVES, AND INVESTMENTS OF INSURERS

31.05.10 Financial Guaranty Insurance

Authority: Insurance Article, §5-1005,
Annotated Code of Maryland

Notice of Final Action

[03-153-F]

On August 18, 2003, the Insurance Commissioner adopted new Regulations .01 — .08 under a new chapter, COMAR 31.05.10 Financial Guaranty Insurance. This action, which was proposed for adoption in 30:13 Md. R. 875 — 879 (June 27, 2003), has been adopted as proposed.

Effective Date: September 15, 2003.

ALFRED W. REDMER, JR.
Insurance Commissioner